

ESTTA Tracking number: **ESTTA770541**

Filing date: **09/14/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	O2 WORLDWIDE LIMITED
Granted to Date of previous extension	09/14/2016
Address	20 AIR STREET London, W1B 5AN UNITED KINGDOM

Attorney information	Stephen L. Baker Baker and Rannells PA 92 East Main Street Somerville, NJ 08876 UNITED STATES officeac- tions@br-tmlaw.com,s.baker@br-tmlaw.com,k.hnasko@br-tmlaw.com,s.cesaro@br-tmlaw.com,claire.jenkins@stobbsip.com
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Applicant Information

Application No	86841717	Publication date	05/17/2016
Opposition Filing Date	09/14/2016	Opposition Period Ends	09/14/2016
Applicant	SHENZHEN AOZHUO LINGHANG CO., LTD. SUITE B201 3/FL FULIZHEN BUILDING SHEN ZHEN, GUANGDONG, CHINA		

Goods/Services Affected by Opposition

Class 009. First Use: 2014/12/23 First Use In Commerce: 2014/12/23


All goods and services in the class are opposed, namely: Abdominal belts containing built-in speakers for purposes of transmitting music/sounds/educational material to a fetus and built-in pockets in which to carry audio transmitters; Adapter plugs; Audio equipment for vehicles, namely, loud speakers for automotive audio systems; Audio equipment for vehicles, namely, stereos, speakers, amplifiers, equalizers, crossovers and speaker housings; Batteries and battery chargers; Battery packs; Carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers and battery charging devices, specially adapted for use with handheld digital electronic devices, namely, CELL PHONES, MP3 PLAYERS, AND PERSONAL DIGITAL ASSISTANTS; Cases for music, audio and related electronic equipment, namely, cases for audio tuners, audio receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, audio mixers, audio speakers in the nature of music studio monitors, microphones, audio speakers, compact discs, audio tapes, portable computers, antennas, phonographic record players, audio recording equipment, and the cables associated with all of the foregoing equipment; Cell phones; Charging appliances for rechargeable equipment; Connection cables; Digital cameras; Downloadable ring tones for mobile phones; Downloadable ringtones, graphics and music via a global computer network and wireless

devices; Home theater systems comprising DVD PLAYERS, AUDIO AMPLIFIERS, AUDIO SPEAKERS; Keyboards for mobile phones; Loud speakers; Multimedia projectors; Network routers; Protective cases for audio equipment in the nature of SPEAKERS, HEADPHONES, AUDIO MIXERS; Protective covers and cases for tablet computers; Public address (PA) and sound system accessories, namely, microphone stands, speaker stands, microphone cables, speaker cables, speaker boxes and sound mixers; Robots for personal or hobby use; Slide projectors; Sound projectors and amplifiers; Sound systems comprising remote controls, amplifiers, loudspeakers and components therefor; Stands adapted for stereos and audio speakers; TV monitors; Wave reflectors for acoustic speakers, lighting apparatus, and air flow devices; Wireless adapters for computers; Wireless indoor and outdoorspeakers; Wireless routers; Wireless cellular phone headsets; Abdominal belts containing built-in speakers for purposes of transmitting music/sounds/educational material to a fetus and built-in pockets in which to carry audio transmitters; Abdominal belts containing built-in speakers for purposes of transmitting music/sounds/educational material to a fetus and built-in pockets in which to carry audio transmitters; Audio speakers; Audio equipment for vehicles, namely, loud speakers for automotive audio systems; Audio equipment for vehicles, namely, loud speakers for automotive audio systems; Audio equipment for vehicles, namely, stereos, speakers, amplifiers, equalizers, crossovers and speaker housings; Bass speakers; Computer game software for use on mobile and cellular phones; Computer peripherals; Computer hardware, namely, wireless network extenders; Computer hardware, namely, wireless network repeaters; Electrical plugs and sockets; Electronic equipment, namely, transformers, baluns, and cables, all used in connection with computers, computer peripheral devices, televisions, audio-video equipment, closed-circuit TV equipment and telecommunication equipment; Hands free kits for phones; Public address (PA) and sound system accessories, namely, microphone stands, speaker stands, microphone cables, speaker cables, speaker boxes and sound mixers

Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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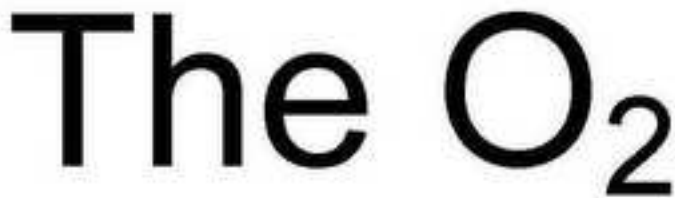
Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	4293849	Application Date	03/14/2006
Registration Date	02/26/2013	Foreign Priority Date	03/08/2006
Word Mark	O2		
Design Mark			

Description of Mark	The color blue, from light to dark, appears in the back ground, and the color white appears in the term "O2".
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking, life-saving and teaching apparatus and instruments, all for use with telecommunications, namely, apparatus for producing sound, images or data; cinematographic and photographic apparatus and instruments, namely, cameras, still and video cameras, video viewing screens and viewfinders; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric adapters; apparatus for recording, transmission or reproduction of sound or images; blank optical data carriers; magnetic data carriers containing programming which enables the functioning of mobile phones and permits access to the services provided via mobile phones; blank recording discs; automatic vending machines; cash registers; calculating machines, data processors and computers; fire-extinguishing apparatus, namely, fire-extinguishing systems; apparatus for the transmission of sound and image; telecommunication apparatus, namely, telephone handsets, telephones, fixed telephones, mobile telephones, cellular telephones, cordless telephone apparatus, portable telephones, radio telephones, satellite telephones, video-telephones, wireless telephones, accessories for telecommunication apparatus and instruments, namely, batteries, battery chargers, microphones, speakers, ear pieces, headsets, holders, desktop stands, telephone power cables, car chargers; mobile radios, mobile data receivers, mobile telephones, mobile phone accessories, namely, headsets, microphones and speakers for mobile phones, car kits for adaptation of portable communication apparatus comprised of adapters, mobile phone straps, mobile telephone batteries, mobile phone chargers, mobile phone covers, mobile phone fascias, mobile phone in-car charges, devices for hands-free use of mobile phones, mobile phone keyboards, mobile phone carry cases, mobile phone PC cables; mobile telephone telecommunication handsets; computer hardware; computer software, namely, computer application software for mobile phones; computer software for general purpose data management; computer software for training and product support for computers and mobile phones in the field of communications; computer software and programs featuring music, movies, animation; computer software for the distribution of information and interactive media content containing text, images, video and sound to users in the field of communications; computer software and programs for management and operation of wireless telecommunications devices; computer software for accessing, searching, indexing and retrieving information and data from global computer networks and global communication networks, and for browsing and navigating through web on said networks; computer software for use in communications networks, namely, software and Internet protocol and telecommunications receivers, converters, and routers all of which allow the user to send voice, data, pictures, music and video over wireless networks; computer software downloadable from the Internet, namely, computer application software for mobile phones; PDA's (Personal Digital Assistants), pocket PC's, mobile telephones, laptop computers; telecommunication network apparatus, namely, transmitters, receivers, converters; drivers software for telecommunications networks and for telecommunications apparatus; protective clothing; protective helmets; computer software recorded onto CD-ROMs for use in database management in the field of telecommunications; computer software recorded onto CD-ROMs for use in database management in the field of telecommunications; blank SD- Cards; parts and fittings for all the aforesaid goods</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0</p> <p>Telecommunications, namely, electronic, electric and digital data transmission of data; telecommunications services, namely, transmission of voice, sound, data, images, audio, video and information via telephone, satellite and global computer networks; telecommunication services, namely, personal communication</p>


	<p>services, paging services, podcasting services, wireless roaming services, providing on-line electronic bulletin boards for transmission of messages among computer users concerning sports, business, finances, weather, travel and telecommunications, rental and leasing of telecommunication equipment, telecommunication equipment components and telecommunication equipment systems; mobile telephone communication services; telecommunication access services, namely, voice over internet protocol (VOIP) services; internet access services, namely, providing remote Internet access; mobile telephone communications network services; fixed line telephone communication services; provision of broadband telecommunications access; broadband services, namely, broadband communication services, wireless broadband communication services; internet access services, namely, providing multiple-user access to a global computer information networks via computers, wireless devices, radio pagers, cellular telephones, mobile telephones and personal digital assistants, rental of access time to global computer networks; email and text messaging service; information and advisory services relating to the aforesaid services</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>Education services, namely, arranging and conducting classes, seminars, conferences and workshops in the field of business, telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; providing of training in telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; entertainment in the nature of casinos, discotheques and nightclubs, entertainment in the nature of football games, rugby tournaments, golf and tennis tournaments, soccer games, performing and competing in motor sport events; organising exhibitions for educational, cultural, sporting, or entertainment purposes namely, art exhibitions, music exhibitions, and telecommunication exhibitions, organising community sporting and cultural events; interactive entertainment services, namely, providing electronic games services by means of any communications network; publication of books, magazines, journals, newspapers, periodicals, catalogues and brochures</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Scientific and technological consultation services and research and design relating thereto in the field of physics, chemistry, engineering, computer programming, information technology and telecommunications; industrial design analysis and research services in the field of computer programming, information technology and telecommunications; design and development of computer hardware and software; legal services; IT services, namely, information technology consultation; computer programming services; information and advisory services relating to the aforesaid; technical support services, namely, monitoring computer systems of others for technical purposes relating to telecommunications network, troubleshooting of computer software and hardware problems; troubleshooting relating to telecommunications networks, namely, troubleshooting of computer software and hardware problems</p>
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U.S. Registration No.	4503543	Application Date	04/27/2005
Registration Date	04/01/2014	Foreign Priority Date	03/18/2005
Word Mark	THE O2		

Design Mark	
Description of Mark	The mark consists of the words "The" and "O2" where the number "2" appears as a subscript.
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>(Based on 44(e) pursuant to European Community Registration Number 2383977) Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking, supervision, life-saving and teaching apparatus and instruments, all for use with telecommunications, namely, apparatus for producing sound, images or data, namely, digital video cameras; cinematographic and photographic apparatus and instruments, namely, cameras, still and video cameras, video viewing screens and viewfinders; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric adapters; apparatus for recording, transmission or reproduction of sound or images; blank optical data carriers; magnetic data carriers containing programming which enables the functioning of mobile phones and permits access to the services provided via mobile phones; automatic vending machines; cash registers; calculating machines, data processors and computers; fire-extinguishing apparatus, namely, fire-extinguishing systems; apparatus for the transmission of sound and image; telecommunication apparatus, namely, telephone handsets, telephones, fixed telephones, mobile telephones, cellular telephones, cordless telephone apparatus, portable telephones, radio telephones, satellite telephones, video-telephones, wireless telephones, accessories for telecommunication apparatus and instruments, namely, batteries, battery chargers, microphones, speakers, ear pieces, headsets, holders, desktop stands, car chargers, telephone power cables, car chargers; mobile radios, mobile data receivers, mobile telephones, mobile phone accessories, namely, headsets, microphones and speakers for mobile phones, car kits for adaptation of portable communication apparatus comprised of adapters, mobile phone straps, mobile telephone batteries, mobile phone chargers, mobile phone covers, mobile phone fascias, mobile phone in-car chargers, devices for hands-free use of mobile phones, mobile phone keyboards, mobile phone carry cases, mobile phone PC cables; mobile telephone telecommunication handsets; computer software, namely, computer application software for mobile phones for use in database management, use in electronic storage of data; computer software for general purpose data management; computer software for training and product support for computers and mobile phones in the field of communications; computer software and programs featuring music, movies, animation; computer software for the distribution of information and interactive media content containing text, images, video and sound to users in the field of communications; computer software and programs for management and operation of wireless telecommunications devices; computer software for accessing, searching, indexing and retrieving information and data from global computer networks and global communication networks, and for browsing and navigating through web on said networks; computer software for use in communications networks, namely, software and Internet protocol and telecommunications receivers, converters, and routers all of which allow the user to send voice, data, pictures, mu-</p>


	<p> sic and video over wireless networks; computer software downloadable from the Internet, namely, computer application software for mobile phones for use in database management, use in electronic storage of data; PDAs (Personal Digital Assistants), pockets PCs, mobile telephones, laptop computers; telecommunication network apparatus, namely, transmitters, receivers, converters; drivers software for telecommunications networks and for telecommunications apparatus; protective clothing; protective helmets; blank SD- Cards; cameras; camera lenses; MP3 players; audio tapes featuring music, sports, entertainment, news, culture and telecommunications, audio cassettes featuring music, sports, entertainment, news, culture and telecommunications, audio discs featuring music, sports, entertainment, news, culture and telecommunications; audio-video tapes featuring music, sports, entertainment, news, culture and telecommunications, audio-video cassettes featuring music, sports, entertainment, news, culture and telecommunications, audio-video discs featuring music, sports, entertainment, news, culture and telecommunications; videotapes featuring music, sports, entertainment, news, culture and telecommunications, video cassettes featuring music, sports, entertainment, news, culture and telecommunications, video discs featuring music, sports, entertainment, news, culture and telecommunications; downloadable electronic publications in the nature of books, magazines, brochures in the field of music, sports, entertainment, news, culture and telecommunications; mousepads; magnets; mobile telephone covers, mobile telephone cases </p> <p> Class 035. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application pursuant to European Community Foreign Application Number 004347514) Advertising; business management; business administration; providing office functions; retail store services featuring consumer electronics, telecommunication goods, clothing and general consumer merchandise; arranging and conducting business conferences in the field of business, telecommunications, mobile telephone communications, radio communications, satellite communications and data communications </p> <p> Class 041. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(d) Priority Application Foreign Application Number 2383977) Education services, namely, arranging and conducting classes, seminars, and workshops in the field of business, telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; arranging and conducting educational conferences in the field of business, telecommunication, mobile telephone communications, radio communication, satellite communications and data communications; providing of training in telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; entertainment in the nature of visual and audio performances, namely, ballet, opera, orchestra, musical bands and plays; live entertainment in the nature of musical, variety, news and comedy shows; entertainment in the nature of dance performances, fashion shows, orchestra performances, theatre productions, live music performances; entertainment in the nature of casinos, discotheques and nightclubs, entertainment in the nature of football games, rugby tournaments, golf and tennis tournaments, soccer games, performing and competing in motor sport events; organising exhibitions for educational, cultural, sporting, or entertainment purposes, namely, art exhibitions, music exhibitions, and telecommunication exhibitions, organising community sporting and cultural events; interactive entertainment services, namely, providing online electronic games services by means of any communications network; entertainment and information services provided by means of telecommunication networks, namely, providing non-downloadable prerecorded music, musical videos, photographs and other multimedia materials featuring music and news and information in the field of music and current event reporting, all on-line via a global computer network; providing news in the nature of current event reporting; publication of books, magazines, journals, newspapers, periodicals, catalogues and brochures; provision of entertainment by means of television and internet protocol television, namely, entertainment in the </p>
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	nature of on-going television programs in the field of music, news, comedy, variety; information and advisory services relating to the aforesaid services
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U.S. Registration No.	4503542	Application Date	04/27/2005
Registration Date	04/01/2014	Foreign Priority Date	NONE
Word Mark	O2		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(e) pursuant to European Community Foreign Registration Number 007177363) Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking, supervision, life-saving and teaching apparatus and instruments, all for use with telecommunications, namely, apparatus for producing sound, images or data, namely, digital video cameras; cinematographic and photographic apparatus and instruments, namely, cameras, still and video cameras, video viewing screens and viewfinders; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric adapters; apparatus for recording, transmission or reproduction of sound or images; blank optical data carriers; magnetic data carriers containing programming which enable the functioning of mobile phones and permits access to the services provided via mobile phones; prerecorded magnetic data carriers featuring information about news, sports, entertainment, culture, business and finances, weather and travel, network management, telecommunications; automatic vending machines; cash registers; calculating machines, data processors and computers; fire-extinguishing apparatus, namely, fire-extinguishing systems; apparatus for the transmission of sound and image; telecommunication apparatus, namely, telephone handsets, telephones, fixed telephones, mobile telephones, cellular telephones, cordless telephone apparatus, portable telephones, radio telephones, satellite telephones, video-telephones, wireless telephones, accessories for telecommunication apparatus and instruments, namely, batteries, battery chargers, microphones, speakers, ear pieces, headsets, holders, desktop stands, car</p>		

	<p>chargers, telephone power cables, car chargers; mobile radios, mobile data receivers, mobile telephones, mobile phone accessories, namely, headsets, microphones and speakers for mobile phones, carkits for adaptation of portable communication apparatus comprised of adapters, mobile phone straps, mobile telephone batteries, mobile phone chargers, mobile phone covers, mobile phone fascias, mobile phone in-car chargers, devices for hands-free use of mobile phones, mobile phone keyboards, mobile phone carry cases, mobile phone PC cables; mobile telephonetelecommunication handsets; computer software, namely, computer application software for mobile phones for use in database management, use in electronic storage of data; computer software for generalpurpose data management; computer software for training and product support forcomputers and mobile phones in the field of communications; computer software and programs featuring music, movies, animation; computer software for the distribution of information and interactive media content containing text, images, video and sound to users in the field of communications; computer software and programs for management and operation of wireless telecommunications devices; computer software for accessing, searching, indexing and retrieving information and data from global computer networks and global communication networks, and for browsing and navigating through web on said networks; computer software for use in communications networks, namely, softwareand Internet protocol and telecommunications receivers, converters, and routersall of which allow the user to send voice, data, pictures, music and video overwireless networks; computer software downloadable from the Internet, namely, computer application software for mobile phones for use in database management, use in electronic storage of data; PDAs (Personal Digital Assistants), pockets PCs, mobile telephones, laptop computers; telecommunication network apparatus, namely, transmitters, receivers, converters;drivers software for telecommunicationsnetworks and for telecommunications apparatus; blank SD-Cards; cameras; camera lenses; MP3 players; audio tapes featuring music, sports, entertainment, news, culture and telecommunications, audio cassettes featuring music, sports, entertainment, news, culture and telecommunications, audio discs featuring music, sports, entertainment, news, culture and telecommunications; audio-video tapes featuring music, sports, entertainment, news, culture and telecommunications, audio-video cassettes featuring music, sports, entertainment, news, culture and telecommunications, audio-video discs featuring music, sports, entertainment, news, culture and telecommunications; video tapes featuring music, sports, entertainment, news, culture and telecommunications, video cassettes featuring music, sports, entertainment, news, culture and telecommunications, video discs featuring music, sports, entertainment, news, culture andtelecommunications; downloadable electronic publications in the nature of books, magazines, brochures in the field of music, sports, entertainment, news, culture and telecommunications; mouse pads; magnets; mobile telephone covers, mobile telephone cases</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(e) pursuant to European Community Foreign Registration Number 007177363) Advertising; business management;business administration; providing office functions; retail store services featuring consumer electronics, telecommunication goods, clothing and general consumer merchandise; arranging and conductingbusiness conferences in the field of business, telecommunications, mobile telephone communications, radio communications, satellite communications and data communications</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0 (Based on 44(e) pursuant to United Kingdom Foreign Registration Number 2249386A) Education services, namely, arranging and conducting classes, seminars, and workshops in the field of business, telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; arranging and conducting educational conferences in the field of business, telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; providing</p>
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	<p>of training in telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; entertainment in the nature of visual and audio performances, namely, ballet, opera, orchestra, musical bands and plays; live entertainment in the nature of musical, variety, news and comedy shows; entertainment in the nature of dance performances, fashion shows, orchestra performances, theatre productions, live music performances; entertainment in the nature of casinos, discotheques and nightclubs, entertainment in the nature of football games, rugby tournaments, golf and tennis tournaments, soccer games, performing and competing in motor sport events; organizing exhibitions for educational, cultural, sporting, or entertainment purposes, namely, art exhibitions, music exhibitions, and telecommunication exhibitions, organizing community sporting and cultural events; interactive entertainment services, namely, providing online electronic games services by means of any communications network; entertainment and information services provided by means of telecommunication networks, namely, providing non-downloadable prerecorded music, musical videos, photographs and other multimedia materials featuring music and news and information in the field of music and current event reporting, all on-line via a global computer network; providing news in the nature of current event reporting; publication of books, magazines, journals, newspapers, periodicals, catalogues and brochures; provision of entertainment by means of television and internet protocol television, namely, entertainment in the nature of on-going television programs in the field of music, news, comedy, variety; information and advisory services relating to the aforesaid services</p>
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U.S. Registration No.	3848986	Application Date	03/01/2004
Registration Date	09/14/2010	Foreign Priority Date	NONE
Word Mark	O2		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 016. First use: First Use: 2004/03/00 First Use In Commerce: 2004/03/00 Prepaid telephone calling cards, not magnetically encoded</p> <p>Class 038. First use: First Use: 2004/03/00 First Use In Commerce: 2004/03/00</p>		

	Prepaid wireless telephone services; telephone services provided via prepaid telephone calling cards
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U.S. Registration No.	3906098	Application Date	05/17/2007
Registration Date	01/18/2011	Foreign Priority Date	NONE
Word Mark	INDIGO2		
Design Mark			
Description of Mark	The mark consists of the word "indigo" and the numeral "2" in a stylized form.		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0 CDs featuring music, sports, entertainment, news, culture and telecommunications; DVDs featuring music, sports, entertainment, news, culture and telecommunications; downloadable electronic publications in the nature of magazines and newsletters in the field of music, sports, entertainment, news, culture and telecommunications</p> <p>Class 021. First use: First Use: 0 First Use In Commerce: 0 Containers for household or kitchen use; household and kitchen utensils, namely, spatulas, graters, sieves and strainers; combs; bath sponges, cleaning sponges; hair brushes, tooth brushes, clothes brushes, lip brushes, shaving brushes, nail brushes; brush-making materials; articles for cleaning purposes, namely, brooms, cleaning cloths, brushes; steel wool for cleaning; un-worked or semi-worked glass not used in building; beverage glassware, porcelain mugs and figurines; earthenware mugs and figurines; mugs; beermugs; bottle openers, buckets, champagne buckets, ice buckets, plastic coasters, cocktail stirrers, corkscrews, drinking glasses, cocktail shakers, tankards, toothbrushes, plastic water bottles sold empty</p> <p>Class 025. First use: First Use: 0 First Use In Commerce: 0 Clothing, namely, headwear, shirts, t-shirts, sweatshirts, skirts, jogging suits, trousers, jeans, pants, shorts, rainwear, cloth bibs, blouses, sweaters, jackets, coats, jumpers, gloves, neckties, scarves, hats, caps</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0 Advertising; business management; business administration; providing office functions; retail store services featuring consumer electronics, telecommunication goods, clothing and general consumer merchandise; wholesale distributorships featuring consumer electronics, telecommunication goods, clothing and general consumer merchandise, business management relating to the broadcasting stations of others; business advice and information; business research; rental of data processing equipment; expert evaluations and reports relating to business matters; forestry management service</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0 Transport and storage of goods; packaging articles for transportation; travel arrangement; travel information services</p>		

	<p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>Educational services, namely, arranging and conducting classes, seminars, conferences and workshops in the field of business, telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; providing training services in the field of telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; entertainment services, namely, production of ballet, opera, orchestra, musical bands and plays; interactive entertainment services, namely, providing on-line computer games; providing computer games that may be accessed network wide by network users; providing entertainment information by means of telecommunication networks; providing news information in the field of current event reporting; entertainment in the nature of on-going television programs in the field of music, news, comedy, and variety; internet protocol television services, namely, providing on-going television programs in the field of music, news, comedy, and variety via a global computer network; entertainment, namely, live music concerts; night club services, discotheque services; and nightclubs, entertainment in the nature of football games, rugby tournaments, golf and tennis tournaments, soccer games, performing and competing in motor sport events; presentation of live show performances; night clubs; rental of stadium facilities; casino services; providing information in the field of entertainment</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Scientific research services; technological consultation in the field of physics, chemistry, engineering, computer programming, information technology and telecommunications; design for others in the field of physics, chemistry, engineering, computer programming, information technology and telecommunications; industrial design in the field of computer programming, information technology and telecommunications; design and development of computer hardware and software; information technology consultation; computer programming services; recovery of computer data; consultation services in the fields of selection, implementation and use of computer hardware and software systems for others; computer programming; duplication of computer programs; computer rental; computer software design; installation of computer software; maintenance of computer software; updating of computer software; rental of computer software; rental of computer hardware; computer system design; computer systems analysis; consultancy in the field of computer software; conversion of data or documents from physical to electronic media; creating and maintaining websites for others; data conversion of computer program data or information not being physical conversion; hosting computer web sites; engineering services; technology consulting in the field of engineering; designing equipment for telecommunication networks; database development services; weather forecasting; research in the field of telecommunications technology</p> <p>Class 043. First use: First Use: 0 First Use In Commerce: 0</p> <p>Providing of food and drink; restaurant, bar, café and snack bar services</p> <p>Class 044. First use: First Use: 0 First Use In Commerce: 0</p> <p>Medical services; veterinary services; beauty salon services; cosmetician services; agricultural advice; rental of agricultural equipment; horticulture services</p>
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U.S. Application No.	77097291	Application Date	02/01/2007
Registration Date	NONE	Foreign Priority Date	NONE
Word Mark	O2		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Scientific, nautical, surveying, photographic, cinematographic, optical, weighing, measuring, signaling, checking (supervision), life-saving and teaching apparatus and instruments, all for use with telecommunications, namely, apparatus for producing sound, images or data; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric adapters; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers, recording disks, namely, blank optical disks; automatic vending machines; cash registers; calculating machines, data processing equipment and computers; fire-extinguishing apparatus, namely, fire-extinguishing systems; telecommunication apparatus for the transmission of sound and images, namely, telephone handsets, telephones, fixed telephones, mobile telephones, cellular telephones, cordless telephone apparatus, portable telephones, radio telephones, satellite telephones, video-telephones, wireless telephones, accessories for telecommunication apparatus and instruments, namely, batteries, battery chargers, microphones, speakers, ear pieces, headsets, holders, desktop stands, telephone power cables, car chargers; mobile telecommunication apparatus, namely, telephone handsets, telephones, fixed telephones, mobile telephones, cellular telephones, cordless telephone apparatus, portable telephones, radio telephones, satellite telephones, video-telephones, wireless telephones, accessories for telecommunication apparatus and instruments, namely, batteries, battery chargers, microphones, speakers, ear pieces, headsets, holders, desktop stands, telephone power cables, car chargers; mobile telecommunications handsets; computer hardware; computer software, namely, computer application software for mobile phones; computer software for general purpose data management; computer software for training and product support for computers and mobile phones in the field of communications; computer software and programs featuring music, movies, animation; computer software for the distribution of information and interactive media content containing text, images, video and sound to users in the field of communications, namely, telecommunications; computer software and programs for management and operation of wireless telecommunications devices; computer software for accessing, searching, indexing and retrieving information and data from global computer networks and global communication networks, and for browsing and navigating through web on said networks; computer software for use in communications networks, namely, software and Internet protocol and telecommunications receivers, converters, and routers all of which allow the user to send voice, data, pictures, music and video over wireless networks; computer software downloadable from the Internet, namely, computer application software for mobile phones; PDA's (Personal Digital Assistants), pocket PCs, mobile telephones, laptop computers; telecommunication network apparatus, namely, transmitters, receivers, converters; driver software for telecommunications networks and for telecommunications apparatus; protective clothing; protective helmets; computer software recorded onto CD-ROMs for use in database management in the field of telecommunications; computer software recorded</p>

	<p>onto CD-ROMs for use in database management in the field of telecommunications; blank SD-Cards for database management in the field of telecommunications</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0</p> <p>Telecommunications, namely, electronic, electric and digital data transmission of data; telecommunications services, namely, transmission of voice, sound, data, images, audio, video and information via telephone, and global computer networks; telecommunication services, namely, personal communication services, paging services, podcasting services, wireless roaming services, rental and leasing of telecommunication equipment, telecommunication equipment components and telecommunication equipment systems; mobile telephone communication services; telecommunication portal services, namely, voice over internet protocol (VOIP) services; Internet portal services, namely, providing remote Internet access; mobile telephone communications network services; fixed line telephone communication services; provision of broadband telecommunications access; broadband communication services; Internet access services, namely, providing multiple-user access to a global computer information networks via computers, wireless devices, radio pagers, cellular telephones, mobile telephones and personal digital assistants, rental of access time to global computer networks; email and text messaging service, namely, email and text messaging service via telephone; information and advisory services relating to Internet protocol television services</p>
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U.S. Application No.	77183491	Application Date	05/17/2007
Registration Date	NONE	Foreign Priority Date	05/16/2007
Word Mark	DO THE O2		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 009. First use: First Use: 0 First Use In Commerce: 0</p> <p>Scientific apparatus and instruments for use with telecommunications, namely apparatus for producing sound, images or data; nautical apparatus and instruments for use with telecommunications, namely directional compasses; surveying machines and instruments; photographic apparatus and instruments namely cameras; cinematographic machines and apparatus namely, cameras, still and video cameras, videoviewing screens and viewfinders; optical apparatus and instruments namely eyeglasses and sunglasses; weighing apparatus and instruments namely scales; measuring apparatus and instruments namely tape rulers; signaling apparatus and instruments namely emergency signal transmitters; life-saving and teaching apparatus and namely life saving rafts; apparatus and instruments for conducting, switching, transforming, accumulating, regulating or controlling electricity, namely, electric adapters; apparatus for recording, transmission or reproduction of sound or images; blank magnetic data carriers; blank recordable optical disks; automatic vending machines; cash registers; calculators</p>		

	<p>;machines, data processors; computers; fire-extinguishers; apparatus for the transmission of sound and images; telecommunication apparatus, namely, telephone handsets, telephones, fixed telephones, mobile telephones, cellular telephones, cordless telephone apparatus, portable telephones, radio telephones, satellite telephones, video-telephones, wireless telephones, accessories for telecommunication apparatus and instruments, namely batteries, battery chargers, microphones, speakers, ear pieces, headsets, holders, desktop stands, car chargers, telephone power cables, car chargers; mobile telecommunication apparatus namely mobile radios, mobile data receivers, mobile telephones, mobile phone accessories, namely headsets, microphones and speakers for mobile phones, car kits for adaptation of portable communication apparatus comprised of adapters, mobile phone straps, mobile telephone batteries, mobile phone chargers, mobile phone covers, mobile phone fascias, mobile phone in-car charges, devices for hands-free use of mobile phones, mobile phone keyboards, mobile phone carry cases, mobile phone PC cables; devices for hands free use of mobile phones; computer hardware; computer software, namely computer application software for mobile phones; computer software for general purpose data management in the field of telecommunications; computer software downloadable from the Internet, namely computer application software for mobile phones; personal digital assistants, pocket computers for note-taking; mobile telephones; laptop computers; telecommunication network apparatus, namely transmitters, receivers, converters; driver software for telecommunications networks and for telecommunications apparatus; protective clothing; protective helmets; multimedia software recorded onto CD-ROM featuring music, sports, entertainment, news, culture and telecommunications; blank SD- Cards; eyeglasses, spectacle glasses, sunglasses, protective glasses and cases therefor; contact lenses; cameras; camera lenses; MP3 players; audio tapes featuring music, sports, entertainment, news, culture and telecommunications, audio cassettes featuring music, sports, entertainment, news, culture and telecommunications, audio discs featuring music, sports, entertainment, news, culture and telecommunications; audio cassettes featuring music, sports, entertainment, news, culture and telecommunications; audio-video tapes featuring music, sports, entertainment, news, culture and telecommunications; audio-video cassettes featuring music, sports, entertainment, news, culture and telecommunications; audio-video discs featuring music, sports, entertainment, news, culture and telecommunications; video tapes featuring music, sports, entertainment, news, culture and telecommunications, video cassettes featuring music, sports, entertainment, news, culture and telecommunications, video discs featuring music, sports, entertainment, news, culture and telecommunications; CDs featuring music, sports, entertainment, news, culture and telecommunications; DVDs featuring music, sports, entertainment, news, culture and telecommunications; downloadable electronic publications in the nature of music, sports, entertainment, news, culture and telecommunications in the field of music, sports, entertainment, news, culture and telecommunications; mouse pads; magnets; mobile telephone covers, mobile telephone cases</p> <p>Class 016. First use: First Use: 0 First Use In Commerce: 0</p> <p>Copy paper, cardboard; printed matter, namely books in the field of telecommunications, education, entertainment, sporting and cultural activities; book bindings; photographs; stationery; adhesives for stationery or household purposes; artists' materials, namely artist's brushes, pencils and pens; paint brushes; typewriters; office requisites, namely staples, punches, rubber bands; printed instructional and teaching material in the field of in the field of telecommunications, education, entertainment, sporting and cultural activities; plastic materials for merchandise packaging, namely general purpose plastic bags, plastic bags for packaging, plastic sheets for writing, printing and marking; printers' type; printing blocks; books in the field of telecommunications, education, entertainment, sporting and cultural activities; pamphlets in the field of in the field of telecommunications, education, entertainment, sporting and cultural activities; pens, pencils, postcards, posters, decalcomanias, stickers, printed tickets, paper</p>
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	<p>beer mats; coasters of paper and cardboard; napkins of paper; tissues and towels of paper; paper bags; general purpose plastic bags</p> <p>Class 021. First use: First Use: 0 First Use In Commerce: 0</p> <p>Containers for household or kitchen use; household and kitchen utensils, namely, spatulas, graters, sieves and strainers; combs; bath sponges, cleaning sponges; hair brushes, tooth brushes, clothes brushes, lip brushes, shaving brushes, nail brushes; brush-making materials; articles for cleaning purposes, namely, brooms, cleaning cloths, brushes; steel wool for cleaning; un-worked or semi-worked glass not used in building; beverage glassware, porcelain mugs and figurines; earthenware mugs and figurines; mugs; beer mugs; bottle openers, buckets, champagne buckets, ice buckets, plastic coasters, cocktail stirrers, corkscrews, drinking glasses, cocktail shakers, tankards, toothbrushes, plastic water bottles sold empty</p> <p>Class 025. First use: First Use: 0 First Use In Commerce: 0</p> <p>Clothing, footwear, headgear, namely shirts, t-shirts, sweatshirts, skirts, jogging suits, trousers, jeans, pants, shorts, rainwear, cloth bibs, blouses, sweaters, jackets, coats, jumpers, gloves, neckties, scarves, hats, caps, sunvisors, boots, slippers, sneakers, sandals, shoes</p> <p>Class 035. First use: First Use: 0 First Use In Commerce: 0</p> <p>Advertising; business management; business administration; providing office functions; retail store services featuring consumer electronics, telecommunication goods, clothing and general consumer merchandise; wholesale distributorships featuring consumer electronics, telecommunication goods, clothing and general consumer merchandise, business management relating to the broadcasting stations of others; business advice and information; business research; rental of data processing equipment; expert evaluations and reports relating to business matters; forestry management services</p> <p>Class 038. First use: First Use: 0 First Use In Commerce: 0</p> <p>Telecommunications, namely electronic, electric and digital data transmission of data; mobile telecommunications services, namely mobile telephone communication; telecommunication gateway services; telecommunication internet access services; mobile telecommunications network services, namely, communications via fiber-optic networks; fixed line communications services namely electronic transmission of messages and data; provision of broadband telecommunications access; broadband services, namely broadband communication services, wireless broadband communication services; broadcasting services, namely, audio and video broadcasting services, broadcasting programs via a global computer network, television and radio; television broadcasting services; voice over internet protocol services; provision of access to internet protocol TV; providing remote internet access services; email and text messaging services; telecommunications consultation; rental of access time to global computer networks</p> <p>Class 039. First use: First Use: 0 First Use In Commerce: 0</p> <p>Transport and storage of goods; packaging articles for transportation; travel arrangement; travel information services</p> <p>Class 041. First use: First Use: 0 First Use In Commerce: 0</p> <p>Educational services, namely arranging and conducting classes, seminars, conferences and workshops in the field of business, telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; providing training services in the field of telecommunications, mobile telephone communications, radio communications, satellite communications and data communications; entertainment services, namely production of ballet, opera, orchestra, musical bands and plays; organizing community sporting and cultural events; interactive entertainment services, namely, providing on-line computer games; providing computer games that may be accessed network wide by network users; providing entertainment information by means of telecommunication networks; providing news information in the field of current</p>
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	<p>event reporting; entertainment in the nature of on-going television programs in the field of music, news, comedy, and variety; internet protocol television services, namely, providing on-going television programs in the field of music, news, comedy, and variety via a global computer network; entertainment, namely, live music concerts; night club services, discotheque services; and nightclubs, entertainment in the nature of football games, rugby tournaments, golf and tennis tournaments, soccer games, performing and competing in motor sport events; organizing exhibitions for educational, cultural, sporting, or entertainment purposes namely art exhibitions, music exhibitions, and telecommunication exhibitions, organizing community sporting and cultural events; presentation of live show performances; night clubs; rental of stadium facilities; casino services; providing information in the field of entertainment</p> <p>Class 042. First use: First Use: 0 First Use In Commerce: 0</p> <p>Scientific research services; technological consultation in the field of physics, chemistry, engineering, computer programming, information technology and telecommunications; design for others in the field of physics, chemistry, engineering, computer programming, information technology and telecommunications; industrial design in the field of computer programming, information technology and telecommunications; design and development of computer hardware and software; information technology consultation; computer programming services; recovery of computer data; consultation services in the fields of selection, implementation and use of computer hardware and software systems for others; computer programming; duplication of computer programs; computer rental; computer software design; installation of computer software; maintenance of computer software; updating of computer software; rental of computer software; rental of computer hardware; computer system design; computer systems analysis; consultancy in the field of computer software; conversion of data or documents from physical to electronic media; creating and maintaining websites for others; data conversion of computer program data or information not being physical conversion; hosting computer web sites; engineering services; technology consulting in the field of engineering; designing equipment for telecommunication networks; database development services; weather forecasting; research in the field of telecommunications technology</p> <p>Class 043. First use: First Use: 0 First Use In Commerce: 0</p> <p>Providing of food and drink; providing temporary accommodation; hotel services; restaurant, bar, café and snack bar services</p> <p>Class 044. First use: First Use: 0 First Use In Commerce: 0</p> <p>Medical services; veterinary services; beauty salon services; cosmetician services; agricultural advice; rental of agricultural equipment; horticulture services</p>
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U.S. Registration No.	2231093	Application Date	09/19/1996
Registration Date	03/09/1999	Foreign Priority Date	NONE
Word Mark	O2		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 009. First use: First Use: 1996/09/28 First Use In Commerce: 1996/09/28 computer hardware and computer operating system software, and instructional manuals therefor sold as a unit therewith		

U.S. Application No.	77432842	Application Date	03/27/2008
Registration Date	NONE	Foreign Priority	NONE

		Date	
Word Mark	O2SECURITY		
Design Mark			
Description of Mark	The mark consists of the color(s) red and black, with the color red appearing in the upper chain link design, the subscript "2" and the dot over the "i" and the color black appearing in the lower chain link design, the letter "O" and the word "SECURITY", except for the dot over the "i", which is red.		
Goods/Services	Class 009. First use: First Use: 2008/04/01 First Use In Commerce: 2008/04/01 Network security systems, namely, network access server hardware for creating and maintaining firewalls, and VPN (virtual private network) hardware and network access server operating software for the foregoing; Computer hardware and software for creating, facilitating and managing secure remote access to and communication with remote computers, local area networks, virtual private networks, widearea networks and global computer networks; VPN hardware, namely, virtual private networks gateways; remote access servers, namely, computer servers, communications servers, internet servers; remote access adapters, namely, electrical adapters; electrical connectors, namely, application connectors providing secure access to computer applications; computer hardware and software for enhancing the performance of a plurality of servers connected together by a network; computer software and computer programs for controlling and optimizing information flow between TCP/IP routers and computing devices clustered on a local area network		

Attachments	79032975#TMSN.png(bytes) 78618311#TMSN.png(bytes) 78618164#TMSN.png(bytes) 78376314#TMSN.png(bytes) 77183506#TMSN.png(bytes) 77097291#TMSN.png(bytes) 77183491#TMSN.png(bytes) 77432842#TMSN.png(bytes) doc09064320160914135116.pdf(289146 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Stephen L. Baker/
Name	Stephen L. Baker
Date	09/14/2016

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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O2 HOLDINGS LIMITED

Opposer

Mark: O2FUN

v.

Serial No.: 86841717

SHENZHEN AOZHUO LINGHANG CO., LTD.

Filed: December 7, 2015

Applicant

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**NOTICE OF OPPOSITION
PURSUANT TO 15 U.S.C SECTION 1063**

In the matter of trademark application Serial No. 86841717 filed by Applicant, SHENZHEN AOZHUO LINGHANG CO., LTD. ("Applicant"), for the mark O2FUN (the "Applicant's Mark") as a trademark for: Class 009 – for:

IC 009. US 021 023 026 036 038. G & S: Abdominal belts containing built-in speakers for purposes of transmitting music/sounds/educational material to a fetus and built-in pockets in which to carry audio transmitters; Adapter plugs; Audio equipment for vehicles, namely, loud speakers for automotive audio systems; Audio equipment for vehicles, namely, stereos, speakers, amplifiers, equalizers, crossovers and speaker housings; Batteries and battery chargers; Battery packs; Carrying cases, holders, protective cases and stands featuring power supply connectors, adaptors, speakers and battery charging devices, specially adapted for use with handheld digital electronic devices, namely, CELL PHONES, MP3 PLAYERS, AND PERSONAL DIGITAL ASSISTANTS; Cases for music, audio and related electronic equipment, namely, cases for audio tuners, audio receivers, amplifiers, tape players, compact disc players, MP3 controllers/players, audio mixers, audio speakers in the nature of music studio monitors, microphones, audio speakers, compact discs, audio tapes, portable computers, antennas, phonographic record players, audio recording equipment, and the cables associated with all of the foregoing equipment; Cell phones; Charging appliances for rechargeable equipment; Connection cables; Digital cameras; Downloadable ring tones for mobile phones; Downloadable ring tones, graphics and music via a global computer network and wireless

devices; Home theater systems comprising DVD PLAYERS, AUDIO AMPLIFIERS, AUDIO SPEAKERS; Keyboards for mobile phones; Loud speakers; Multimedia projectors; Network routers; Protective cases for audio equipment in the nature of SPEAKERS, HEADPHONES, AUDIO MIXERS; Protective covers and cases for tablet computers; Public address (PA) and sound system accessories, namely, microphone stands, speaker stands, microphone cables, speaker cables, speaker boxes and sound mixers; Robots for personal or hobby use; Slide projectors; Sound projectors and amplifiers; Sound systems comprising remote controls, amplifiers, loudspeakers and components therefor; Stands adapted for stereos and audio speakers; TV monitors; Wave reflectors for acoustic speakers, lighting apparatus, and air flow devices; Wireless adapters for computers; Wireless indoor and outdoor speakers; Wireless routers; Wireless cellular phone headsets; Abdominal belts containing built-in speakers for purposes of transmitting music/sounds/educational material to a fetus and built-in pockets in which to carry audio transmitters; Abdominal belts containing built-in speakers for purposes of transmitting music/sounds/educational material to a fetus and built-in pockets in which to carry audio transmitters; Audio speakers; Audio equipment for vehicles, namely, loud speakers for automotive audio systems; Audio equipment for vehicles, namely, loud speakers for automotive audio systems; Audio equipment for vehicles, namely, loud speakers for automotive audio systems; Audio equipment for vehicles, namely, stereos, speakers, amplifiers, equalizers, crossovers and speaker housings; Bass speakers; Computer game software for use on mobile and cellular phones; Computer peripherals; Computer hardware, namely, wireless network extenders; Computer hardware, namely, wireless network repeaters; Electrical plugs and sockets; Electronic equipment, namely, transformers, baluns, and cables, all used in connection with computers, computer peripheral devices, televisions, audio-video equipment, closed-circuit TV equipment and telecommunication equipment; Hands free kits for phones; Public address (PA) and sound system accessories, namely, microphone stands, speaker stands, microphone cables, speaker cables, speaker boxes and sound mixers ("Applicant's Goods"), published for opposition in the Official Gazette of May 17, 2016, the time to oppose having been extended, Opposer, O2 Holdings Limited, a corporation organized and existing under the laws of the United Kingdom and located and doing business Wellington Street, Slough, Berkshire, SL1 1YP, believes that it will be damaged by the registration of the alleged mark shown in Application Serial No. 86841717 and opposes the registration under the provisions of 15 U.S.C. §1063 (Trademark Act of 1946, Section 13).

As grounds of opposition, it is alleged that:

1. Opposer is the owner of the mark O2 and variations thereof ("Opposer's Marks") as trademarks trade names, and as service marks. Opposer's Marks are as follows:

U.S. Registration/Serial Number	Word Mark
4293849	O2
4503543	THE O2
4503542	O2
3848986	O2
77432842	O2SECURITY (stylized)
3906098	INDIGO2
77097291	O2
77183491	DO THE O2
2231093	O2

Hereinafter the goods and services recited in Opposer's Marks and registrations are referred to collectively as "Opposer's Goods and Services."

2. Opposer is now and has been, for long prior to any date which may be claimed by Applicant, engaged in the use Opposer's Marks for Opposer's Goods and Services.

4. The issuance of a registration to Applicant will create a serious cloud on Opposer's continued right to use Opposer's Marks, alone or in combination, for the goods set forth in its application.

5. The goods and services of Applicant and Opposer are in part identical, in part substantially similar or within Opposer's ever expanding natural progression of goods and services and channels of trade and Applicant's intended use of Applicant's Mark in connection with such goods and services is without the consent or permission of Opposer.

6. Applicant has appropriated to itself the dominant portion of Opposer's O2 Marks and trade name.

7. Applicant's Mark and Opposer's Marks are dominated by the "O2" element.

8. The addition of the adjective "FUN" is insufficient to distinguish Applicant's Mark from Opposer's Marks and indeed can be taken to mean it is "fun" to use Opposer's Goods Services.

9. Opposer uses the word "FUN" 100's of times in its promotional to describe its goods and services.

10. The registration of Applicant's Mark to Applicant will cause the relevant purchasing public to erroneously assume and thus be confused, misled, or deceived, that Applicant's Goods are made by, licensed by, controlled by, sponsored by, or in some way connected, related or associated with Opposer, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), all to Opposer's irreparable damage.

11. Applicant intends to distribute and/or to provide Applicant's Goods through the same channels of trade as Opposer and as a result Applicant is now, or will be, directing its respective goods and services to the same ultimate consumer as Opposer.

12. Opposer believes that it is and will be damaged by registration of the mark applied by Applicant.

WHEREFORE, Opposer prays that the application for registration of O2FUN, Serial No. 86841717, filed on December 7, 2015, be denied and that this Opposition be sustained.

Respectfully submitted for Opposer O2 Holdings Limited

By: /s/Stephen L. Baker
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September 14, 2016

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Opposer's Notice of Opposition was forwarded by first class postage prepaid mail by depositing the same with the U.S. Postal Service on this 14th day of September, 2016 to the attorney for the Applicant at the following address:

JOHN ALUMIT
ALUMIT IP
135 S. JACKSON STREET, SUITE 200
GLENDALE, CALIFORNIA UNITED STATES 91205

/Stephen L. Baker/
Stephen L. Baker